

## MISMANAGEMENT, MISAPPROPRIATION, DUTIES NOT DONE

Conduct of Various State Institutions Found by Legislative Committee To Be In Anything But a Satisfactory State of Affairs.

WOULD REMOVE  
SUPT. W. E. OAKES

State Prison at Windsor and the House of Correction at Rutland In Most Rotten Condition. Committee Says Directors' "Usefulness Is Impaired."

Montpelier, Dec. 8.—The legislative committee which has been investigating the various institutions to find alleged graft, has completed its work sufficient to make partial report. When the report is stripped of words, it says that there has been misappropriation of state funds in some cases, that the directors of some of the state institutions have been derelict to their duty, and that there is great need of an overhauling, winding up with the recommendation that Superintendent of State Prison E. W. Oakes be removed from office and that the directors of the same and of the house of correction be turned out as useless.

The report is only partial, as the committee has not had time enough to go thoroughly over all the institutions before the adjournment of the legislature. The same committee will probably be commissioned to continue their investigations and make a more complete report at a later date.

The report is signed by Senators Fletcher, Isham and Lord and by Representatives Miles, Davis of Chester, Viall, Slade and Chedell.

Supt. Oakes Hauled Over Coals.

Taking up the state prison first, the committee devotes considerable space to Superintendent Oakes, who has held the position since May, 1883. His salary is \$1,200 per annum, with rent and subsistence for himself and family "on the premises of the institution." This has been paid and the committee finds that during all the score of years the superintendent has had more or less visitors and company, who have been kept at the state's expense. In 1897 the then directors of the institution, L. D. Hixon of St. Johnsbury, M. O. Perkins of Windsor, and E. C. Tuttle of Rutland, after consultation with the superintendent, decided that he was not getting a big enough salary. They created a new position called "house-keeper," and installed the wife of the superintendent in it, at a salary of \$25 a month. In 1901 the position was abolished by a majority vote of a new board of directors, the only old member being Mr. Perkins of Windsor. During the period Mrs. Oakes received \$1,025. The committee finds that she "rendered no service to the state in return for the compensation received," being through frequent spells of sickness wholly incapacitated for the performance of any service.

The creation of this position was in violation of the law.

During the superintendent's summer vacations spent at Lake Sunapee, N. H., since 1895, he took the state's supplies for the support of his own family "and such company as he might have while there, at times consisting of quite a number of persons. This was done with the knowledge of the resident director, and was in violation of law."

In six years' time Superintendent Oakes purchased twenty milleniums at the expense of the state, "which, in a few instances at least, he used for his own private purposes for which no credit to the state was given."

The discipline of the institution was injured by that fact as the guards knew of it. Discipline was also injured because the guards complained that they were overworked and that they were given food inferior to that used by the superintendent's own family.

Directors Charged With Dereliction.

The directors of the state prison are given the following arraignment:

"The supervision of the institution by the directors has been confined principally to such supervision as was taken by the resident director. For the past few years no regular meetings have been held by the board of directors, but they have occasionally met at Windsor and at Bellows Falls when a hasty examination of the institution was made by looking over the books and papers of the institution relating to its affairs and inquiries made of the superintendent. The supervision of the institution has been practically entrusted to the superintendent and no thorough and regular overhauling of his management and conduct of the affairs of the institution has been made by the board of directors or the resident director for several years last past. The monthly statement and vouchers accompanying the same have been handed to one of the other directors and by that director to the third director and by him sent to the auditor of accounts, and this is practically the

only supervision which said board of directors have had over the institution for several years last past, and all of them have not met together for the past year, and only once in the past two years."

Superintendent Oakes has purchased the institution's supplies without advertising for proposals. Grain and food for the stables were bought of the superintendent's brother's firm in Windsor. There were other firms in Windsor dealing in grain and feed but these had not been visited to get prices.

The state prison was kept clean, orderly and was in good sanitary condition.

Industrial School Fairly Satisfactory.

The Industrial School at Vergennes is given an analysis by the committee. They found little to criticize there, and the whole may be summed up in the following words:

"The board of trustees, consisting of R. W. Hubbard, J. E. Weeks and J. W. Fowler, meet each month at the institution, examine and audit all accounts, advise with and direct the superintendent both in the general management of the institution and in the purchase of supplies, which is done in the open market without advertising for competitive bids. Mr. Weeks visits the institution quite often during the month, especially in the interest of the farming operations."

Regarding the industrial school the committee makes some recommendations to remedy minor defects, one of which is that there might be a saving in salaries at what is called the "main building," on account of the reduced number of inmates.

Light On House of Correction.

Taking up the house of correction at Rutland, the committee reports that D. L. Morgan, the superintendent received, up to 1898, a salary of \$1,000 per annum; then it was raised to \$1,200, "with rent and subsistence for himself and family on the premises of the institution." For a period the state supported thirteen people, members of the family of the superintendent and the officers. Supt. Morgan appointed his son-in-law as one of the officers for five years. Part of that time the son-in-law paid for the board of his wife and child \$12 per month—for one or two years the board of the wife and the child was allowed the son-in-law as an increase of salary.

The directors of this institution, the same as of the state prison, in 1896, created the position of "house-keeper" and installed the superintendent's wife in it, same as at the other institution. Mrs. Morgan continues to hold the position, receiving \$25 per month.

The state of Vermont has furnished the Morgan household a cook, and Mrs. Morgan has also been assisted by female prisoners. The committee says: "Mrs. Morgan performed the same work before she was appointed, that she has performed since, and her appointment was made when Superintendent Morgan could receive by law a sum not exceeding \$1,000." The office of "house-keeper" was omitted from the reports of 1902 and 1904, after the position had been abolished in the state prison.

Convict labor was sold to a certain Rutland firm which in 1890 became insolvent. Hoping to get something out of it the institution took a quantity of stock which has been worked since. Machinery and coal were required for this, and since Director Woodfin went into office, repairs or supplies for repairs of the machinery have been bought of a corporation of which Director Woodfin had a controlling interest and was president. The same corporation had purchased \$1,725 of the manufactured stock during the past two years. The same director has had control and management of the convict labor, the superintendent of the institution having no knowledge of the business. Says the committee: "He disclaims all responsibility with reference thereto and claims that he is in no way responsible for any mismanagement of that business and that he is not liable therefor under his bond to the state. Neither the manager nor the book-keeper have filed any bond to indemnify the state for any loss which it may sustain, if any, in consequence of mismanagement of said business of the misappropriation of any of the state's funds."

The state auditor of accounts has never received any detailed statement of moneys received or paid out by the institution on account of the business and no vouchers have been furnished him respecting the management of that business. Cash and checks have been received for sales of goods, deposited and withdrawn upon checks of the manager, countersigned by Mr. Woodfin. All that is known of the business is that shown in the biennial report of the house of correction which shows the net earnings to be \$33,860.14.

The state has lost largely through sales to irresponsible parties, a sum between four and five thousand dollars being now included in the assets which it is hoped may be collected. Other losses have been checked off the books through the insolvency of the purchasers.

Closing with the house of correction the committee says: "The general oversight of the institution, like that of its marble business, has been wholly entrusted to the resident director, Mr. Woodfin, who was absent from May until September, 1904, and during his absence none of the other directors visited the institution."

We are unable to report with reference to the expenses any more fully than is shown by the biennial reports of the institution, the auditor's reports and the report of the sub-committee on claims."

Insane Asylum Needs Lime-light.

Lack of time prevented the committee from making more than a cursory examination of the insane asylum at Waterbury.

Continued on fourth page.

## 15 MINERS ENTOMED

Lose Their Lives in Washington Coal Mine

## EXPLOSION OF FIRE DAMP

Responsible for the Disaster — Eleven Bodies Already Taken From the Mine.

Takoma, Wash., Dec. 8.—By the explosion of gas in a coal mine at Burnett, 50 miles from here, fifteen fatalities, it is believed, will be recorded. Fire damp was responsible for the disaster.

Eleven corpses badly burned and mangled lay been gotten by searching parties.

## STILL BOMBARDING SHIPS.

Japanese Disable More Ships of Port Arthur Squadron.

Tokio, Dec. 8.—It is announced today that as the result of the bombardment of Port Arthur harbor yesterday by the Japanese, a great many ships took effect on the cruisers Peresviet, Prohoda, and Pillada. The Peresviet took fire and the Prohoda listed to port.

## Warned to Be Careful.

Cape Town, Cape Colony, Dec. 8.—In consequence of the expected approach of the Baltic fleet, Cape Town shippers have been warned of the necessity of showing clear lights and taking other customary precautions.

## MRS. CHADWICK IN COURT.

Arrested Last Night and Taken Before Commissioner Shields Today.

New York, Dec. 8.—Mrs. Cassie L. Chadwick was arrested last night. She was bundled into a cab shortly after nine o'clock this morning at Hotel Bristol and whirled away to the federal building for arraignment before United States Commissioner Shields.

She was almost in a fainting condition during the ride, and seemed near collapse when she entered the federal building. The court proceedings were brief. Assistant District Attorney Baldwin asked that bail be fixed at \$25,000 but to this Lawyer Carpenter objected and Commissioner Shields finally fixed bail at \$15,000 and set Saturday, Dec. 17, as the date for further hearing. Mrs. Chadwick was taken to Marshall's office to await the arrival of a bondsman. If a bondsman is not obtained by four o'clock Mrs. Chadwick may have to go to the Tombs.

In reply to an inquiry as to the genuineness of the Chadwick's a ten County Prosecutor Keller at Cleveland received a telegram from Andrew Carnegie saying, "I never signed such notes, have no notes out and have not issued a note for many years."

## TWO MORE DROP OUT.

Caldwell and Hooper Retire from Bicycle Race.

New York, Dec. 8.—Caldwell and Hooper withdrew from the bicycle race this morning. Caldwell's stomach was going back on him as the result of eating four plates of ice cream and drinking a bottle of Bass' ale.

## LEGISLATIVE NOTES.

The Senate judiciary committee reported unfavorably the bill providing for weekly payment of wages by corporations and the Senate lost little time in killing the bill yesterday afternoon.

Mr. Carberry, one of the Boston Post's most capable reporters, was sent up by his paper to report the Mary Rogers proceedings. Mr. Carberry says that great interest has been taken in Massachusetts over Mrs. Rogers' case, and that there is a strong agitation in his state for substituting a life sentence for the death penalty. The Boston American ordered its Montpelier correspondent to give one thousand words on the legislative action.

Women may not be curious, women may not be inquisitive, yet the throng of women in the House yesterday resembled a bargain day rush in a city department store. But how quiet they were! They didn't so much as flap as they clung to every word of the speakers. The sound of a pinfall would have been loud.

Luther B. Johnson, one of the House official reporters, gave a banquet to Speaker Merrifield, the House clerks, and the press representatives at the Riverside last night, and the occasion could scarcely have been improved. The banquet was excellent and the story-telling that followed kept the party busy until after midnight. Mr. Johnson was presented a handsome gift, through his fellow official reporter, J. W. Saul; it was his thirty-fifth birthday.

The members of the Barre Civic Federation of Women's clubs will hold a special meeting at the house of Miss Blanche Tilden, S. North street, Friday, Dec. 9, at 2:30 p. m. Will every member of the different clubs make an effort to be present. There will also be a meeting of the ways and means committee at the same place.

## MRS. ROGERS MUST HANG

House Refuses To Be Moved By Appeals

## LAW MUST BE ENFORCED

Bill Commuting Her Sentence Killed by Vote of 91 to 139 — Amended License Law Passes the Senate.

Montpelier, Dec. 8.—After a most determined attempt to commute the sentence of Mary W. Rogers, condemned to be hanged for the murder of her husband, the House of Representatives of the Vermont legislature yesterday afternoon refused to stand between the woman and the carrying out of the sentence. The discussion was dramatic in the extreme and was listened to by an audience which crowded the Representatives' hall to its utmost capacity. Argument, the most effective that could be made, was brought to bear on the members; yet the House was obdurate to all the appeals of sentiment and voted 139 to 91 against the third reading of the bill. If the proposed attempt to reconsider the action fails Mary Rogers will in all human probability be hanged on the day of February 5, 1905. Mr. Hingwood of Peru, who favors the commutation, changed his vote from affirmative to the negative with the express purpose of voting with the majority so that he could vote to reconsider today, if thought advisable.

The debate continued for nearly one hour and a half, most of the speaking being in favor of commutation. Mr. Darling of Chelsea opened the debate. He said that his attitude on this question was not on legal grounds, but on the grounds of charity and humanity. He had rather be merciful than logical. He drew a picture of the execution on February 5, and said he wouldn't care to stand in the shoes of the man who would have to say then, "It was my vote that helped make this thing possible."

Mr. Waite of Hyde Park dwelt on the importance of the action at hand. This prisoner may be depraved, but we are to cut her off untimely without preparation. Let us not sacrifice her in a spirit of carrying out this barbarous law.

Mr. Dart of Springfield favored commutation, not because there was any doubt of this woman's guilt, but as being in line with modern civilization. The theory now is to give convicts a chance to reform, and he would not, by his vote, make this impossible.

Mr. Hilliard of Cabot, the first man to oppose, said that he had taken an oath to support the law, and considers that when he voted to commute he would vote to break a law of the state. It is not a question of conscience so much as of experience. Let us not forget the majesty of the law. Mrs. Rogers may be a degenerate; so are all criminals. We should not vary our laws to suit individuals. He had stood between a criminal and the law, and that man is now in the insane asylum. If it were my own sister, before God I should not, I could not, vote for commutation. We give a cue to the anarchist and other criminals when we thus break the law which we have sworn to uphold.

Mr. O'Sullivan of St. Albans characterized such an execution as a cold-blooded taking of human life. He shared the sentiments of the gentleman from Chelsea, and could never quell whisperings of remorse if he voted to hang this unfortunate woman. It is a question of sincerity and honest opinion. He did not think such clemency would be in accord with the law. The law has been enacted with the intent that no criminal shall be executed until a session of the legislature intervenes, the purpose being to give opportunity for commutation. Nor can action of ours be taken as reflection on the court. The jury said this woman was guilty, and so do we. Though the judge pronounced her awful doom, we put the words into his mouth. So we can legally and properly change the form of punishment. The speaker invoked no pretext of irresponsibility for her action, but took occasion to read a letter from the Catholic clergymen at Bennington, who stated that the woman was an offspring of iniquity and was no more to blame than Perham, Mrs. Bates and Knapp. The speaker said that if men revered women under all conditions the standard of woman would long ago have been raised so that there would now be no Mary Rogers to hang. A chief reason for his support of this bill lay in the fact that the criminal was a woman. Since we have made a place for woman and discriminate against her in all matters, we should not deal with her thus as a criminal. He argued generally against the strangling of criminals as a violation of law. We are all too guilty ourselves to punish others—we should exercise mercy. He said two classes of people committed murder—one, a higher class, that escaped detection, and another class, low and degenerate. He said he might not be right in this matter, his mind was not quite clear on the subject, but he could not bring himself to vote against this bill and to hang this poor woman. We are about to send a mandate to the sheriff of Windsor county. We cannot close our eyes to this. Then he drew a vivid picture of the execution of Mary Rogers. This will be done to vindicate the majesty of the law. "Gentlemen, I will have no part in it."

Mr. Grout of Derby referred critically to the heart-appeal of the gentleman

Continued on Eighth Page.

## RED MEN LED.

Won at Five Tables to Three by I. O. O. F. Cribbage Team.

The cribbage match last evening between the Red Men and the I. O. O. F. teams resulted in a victory for the Red Men, who won at five tables to three for the Odd Fellows. The result by tables was as follows: Cormack and Sangster, R. M., defeated Geddes and Webster, I. O. O. F.; Ross and Scott, R. M., defeated Nichols and Bellville, I. O. O. F.; Russell and Duncan, R. M., defeated Stone and Will, I. O. O. F.; Marshall and Wishart, R. M., defeated Beck and Brew, I. O. O. F.; Robertson and Laxson, R. M., defeated Maiden and Aroy, I. O. O. F.

Smith and Burgess, I. O. O. F., defeated Milton and Elrick, R. M.; McLeaver and Bligh, I. O. O. F., defeated Forbes and Smith, R. M.; Robbins and Willey, I. O. O. F., defeated Lind and Webster, R. M.

The C. O. F. and C. G. play Monday evening.

The cribbage league standing:

	P.	W.	L.	Pct.
E. of A.	40	23	17	.573
C. G.	40	22	18	.550
R. M.	40	22	18	.550
C. O. F.	40	20	20	.500
M. U.	40	17	23	.425
I. O. O. F.	40	16	24	.400

## SENATE PASSES BILL.

Amended License Law Goes Through With a Rush.

Montpelier, Dec. 8.—The Senate this morning passed the amended license, local option bill.

Sensors Slack and Lord explained the bill and Senator Fish spoke in its favor. The bill was ordered to a third reading, and passed unanimously. It went to the House this noon.

The vote in the House in the bill to raise the salary of Supt. Ranger \$250 per quarter, stood 76 to 76 and Speaker Merrillfield cast the deciding vote in its favor.

This afternoon Frank Plumley of Northfield, F. C. Williams of Newport, and Limas Levens of Cambridge were elected court of claims of the state of Vermont by the general assembly.

## BOY SHOT IN HEAD BY HIS BROTHER

Sad Affair at East Wallingford Which May Result in Death of Little Joseph Stewart.

Rutland, Dec. 8.—It was learned today that Joseph Stewart, the four year old son of Isaac Stewart, the East Wallingford farmer, is now at the point of death as the result of being shot with a shotgun by his brother, Herbert, seven years old, while the two were playing in the house. Joseph was supposed to be a deer and Herbert an Indian. The Indian was to kill the deer who was running on hands and knees. The elder brother seized a shotgun which was in the room and fired a big charge of buckshot into his brother's neck and head. The shot passed over through the side of his ear and barely missed the jugular vein. It is a terrible wound and if the boy should live he will lose the use of one arm and probably an eye. The shot is not all extracted yet. The boy didn't know it was loaded.

## BIG DROP IN STOCKS.

One Failure As a Result of the Slump.

New York, Dec. 8.—The wildest excitement exists on the stock exchange and prices are tumbling. The Amalgamated leads in the slump, having lost at 11 o'clock almost ten points from its high of 100. United States steel, common and preferred, sugar, Missouri Pacific, Erie, and Canadian Pacific, are among the stocks that have fallen with dull thuds. Thomas W. Lawson's prophecy of Tuesday has been fulfilled. His first bulletin today continued to advise the sale of amalgamated stock.

The failure of W. E. Badeau is announced on the Consolidated Stock Exchange.

About noon there was a sharp general rally on the stock market, ranging from three to five per cent.

## A WEDDING RECEPTION.

Mr. and Mrs. Harry Vincent of East Montpelier Welcomed Home.

East Montpelier, Dec. 8.—A reception was held in the hall in this village last evening in honor of Mr. and Mrs. Harry Vincent, who have just returned from their wedding trip to points in the West. The guests were received by Mr. and Mrs. George Vincent, Cora Vincent, Mabel and Florence Coburn. Lyle Young and George McKnight acted as ushers and Miss Ella Dudley presided at the piano. An oyster supper was served and before the party broke up, George McKnight, in behalf of the guests, who numbered nearly a hundred, presented Mr. and Mrs. Vincent with an elegant book case.

## WEDDING AT BETHEL.

L. C. Boardman and Miss Clara Chadwick United This Morning.

Bethel, Dec. 7.—At eleven o'clock today, at the home of the bride's parents, Mr. and Mrs. C. H. Chadwick, Miss Clara Boardman was united in marriage to Lee Clarence Boardman by the Rev. J. Hall Long. The wedding was an informal one and was witnessed only by the immediate relatives and friends. After the repast the newly married couple started on their wedding journey. Upon their return they will take up their residence here, where Mr. Boardman is employed by the E. C. Fisher Co.

## Mekkelsen—Christiansen

In Montpelier, Dec. 6, by Rev. J. Edward Wright, Christen Mekkelsen of Montpelier, and Oline Christiansen of Barre were married.

## EPISCOPAL LADIES' FAIR

Has Very Large Attendance on Opening Night

## JUVENILE MINSTREL SHOW

A Farce, "A Rural Ruse," Will Be Presented for Entertainment This Evening — Tonight Last One of Fair.

The ladies of St. Elizabeth's chapter of the Episcopal church opened their fair in Hale's Pavilion last evening with a very large attendance, the hall being packed with people. The excellent entertainment given by the young people, the fine things to be seen at the booths and the dancing kept the large crowd entertained every minute. The ladies are using the same booths which were used at the St. Monica's fair, as there was no time for them to arrange new ones. At the booths are to be found beautiful fancy work for sale, finely dressed dolls, plain and fancy aprons, also delicious home-made candy, ice cream and punch, any of which can be purchased at most reasonable prices.

The ladies in charge of the different booths are: Fancy booth, Mrs. Pitkin, Mrs. D. P. Town, Mrs. J. W. Vaughan, and Mrs. James Walker; flower booth, Mrs. W. D. Reid, Mrs. Sherman Parker, and Mrs. F. B. Mudgett; candy table, Mrs. Henry Hay, Mrs. W. W. Calder, Mrs. Harry Dole, and Mrs. William Fradette; punch bowl, Mrs. Jones, Alice and Nellie Varley; prayer books, hymnals and picture books, Mrs. Walter Williams and Miss Annie Williams; ice cream booth, Mrs. John Hyland, Mrs. Gertrude McNeil, Miss Maud Coburn, and Miss Barbara Cordner; apron booth, Mrs. J. Peer, Mrs. Fred Dole, Mrs. William Cole, and Mrs. John Dowers; doll booth, Miss Hattie Peer and Miss Myrtle Livingstone; five and ten cent booth, Mrs. William Gilbertson, assisted by Emma Lannoy, Helen Parker, Lina Gilbertson, Bessie Morrison and Helen MacKie; Ladies' Home Journal booth, Mrs. James Coville, Mrs. Elizabeth Richardson and Mrs. Allan Hurdle. The entertainment consisted of a Lilliputian minstrel concert in which the young people who had been drilled by Mrs. A. W. Allen, did finely. Songs were sung by several of the young boys in a very pleasing manner and many local hits were given.

Following the concert the crowd was delightedly entertained by a cake walk danced by May Carson and Philip Gordon, Christina Reid and Harry McLeod, Gwendolyn Pitkin and Dana Church, Harry Dale and Janet Kerr. The young couples did very nicely. The prize for being the best dancers was awarded to May Carson and Philip Gordon. Tonight a farce entitled "A Rural Ruse" will be presented and everybody will want to see it. Dancing will follow the entertainment and is in charge of Elliot Stoughton and W. H. Pitkin.

The ladies' amusement committee, which has charge of the fair, is composed of Mrs. F. B. Mudgett, chairman; Mrs. L. R. Rickert, president; Mrs. Sherman Parker, Mrs. William Pitkin and Mrs. A. W. Allen.

## LADIES UNION ELECTION.

Mrs. C. N. Kenyon Chosen President and Mrs. D. C. Roben Secretary.

At the business meeting of the Ladies' Union of the Universalist church held yesterday afternoon the following officers were elected for the coming year:

President, Mrs. C. N. Kenyon; executive board, Mrs. B. H. Wells, Miss Carrie Lang, Mrs. Fred Eaton, Mrs. E. Burr, Mrs. C. H. Campbell, Mrs. John Tassie; secretary, Mrs. D. C. Roben; treasurer, Mrs. H. A. Richardson; collector, Mrs. George Quigley; auditors, Mrs. J. M. Bond, Mrs. Colla Brown; visiting committee, Mrs. G. J. Reynolds, Mrs. M. J. Taplin, Mrs. C. F. Camp; charity committee, Mrs. Alet Bruce, Mrs. George Dix, Mrs. J. A. Whitcomb; flower committee, Mrs. J. M. Bond.

## WATER MAIN BURST.

Both Reservoirs of Perry & Scribner Water Co. Empty Before Discovery.

The four-inch water main of the Perry & Scribner Water Co. burst on Sand Hill, near Phelps Mills, early yesterday, and before the break was discovered both reservoirs had been emptied. The pipe was repaired again at 7 o'clock last evening and customers were receiving water again at 9 o'clock. Not knowing of the break, Messrs. Perry & Scribner could not notify customers of the trouble.

## C. A. Heath's New Store

C. A. Heath, the wall paper man, is now fairly settled in his new store at S. Merchant street, at the rear of Harry & Williams' and is ready to show to all his large and up-to-date stock of wall papers. The new store is much more convenient than the old quarters on Elm street and gives him a much better chance to display goods. Mr. Heath carries a full line of paper, straw matting and paints and varnishes.

The Men's Sunday Evening club of the Congregational church will give its first social for men in the church vestry Friday evening. Hon. Joseph A. DeLozier, president of the National Life Insurance Co. of Montpelier, will give a talk, relating some personal experiences. All men of the congregation are invited.